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5	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON		
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7	7 LEROY BEY,		
8	8 Plaintiff, ) Case	No. C08-1479-TSZ	
9	'	ORT AND	
10	<b> </b>	OMMENDATION	
11	Defendants.		
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13	Plaintiff Leroy Bey, <sup>1</sup> currently incarcerated in the King County Correctional Facility, has		
14	submitted a proposed complaint in which he alleges copyright infringement for use of his name in		
15	contracts without his permission. Dkt. 1. Plaintiff has also submitted an application to proceed <i>in</i>		
16	forma pauperis. Plaintiff names the following defendants: Troy Hansen, Bail Bonds; Judge Greg		
17	Canova; Julie, Prosecutor; James Bible, Public Defender; Kathryn Beckerman, Public Defender;		
18	King County Jail/CEO; Andrew Philips, CEO Western State Hospital ("WSH"); Dr. Ehlers, WSH		
19	Dr. Duncan, WSH; Dr. Steinwender, WSH; Dale Wright, Therapist, WSH; and Christopher		
20	Swaby, Public Defender. He seeks monetary damages for the alleged copyright infringement.		
21	Plaintiff's complaint fails to state a claim upon which relief can be granted. To establish		
22	copyright infringement, a plaintiff must show ownership of a valid copyright and copying of		
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	<sup>1</sup> Plaintiff also identifies his name as Leroy Williams.		

REPORT AND RECOMMENDATION – 1

1	original elements of the work. Feist Publ'ns, Inc. v. Rural Tel. Serv. Co., 499 U.S. 340, 361	
2	(1991). Plaintiff does not identify ownership of a valid copyright for his name, nor does he	
3	identify any copying of original elements of his name by the defendants. Plaintiff's complaint is	
4	frivolous. Accordingly, the Court recommends that this action be DISMISSED and that plaintiff'	
5	application to proceed in forma pauperis be DENIED as moot. A proposed Order accompanies	
6	this Report and Recommendation.	
7	DATED this 10 <sup>th</sup> day of October, 2008.	
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9	BRIAN A. TSUCHIDA	
10	United States Magistrate Judge	
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